

JOYCE JOHNSON, )  
)  
Plaintiff, )  
)  
v. ) No. 4:06CV1287 CAS  
) (TIA)  
LINDA S. McMAHON,<sup>1</sup> )  
COMMISSIONER OF SOCIAL SECURITY, )  
)  
Defendant. )

This matter is before the Court, sua sponte, upon review of the file. All pretrial matters were referred to the undersigned United States Magistrate Judge pursuant to 28 U.S.C. § 636(b) for appropriated disposition.

<sup>1</sup>Linda S. McMahon became the Acting Commissioner of Social Security on January 20, 2007. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Linda S. McMahon should be substituted, therefore, for Commissioner Jo Anne B. Barnhart as Defendant in this suit. No further action should be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

[T]he Commissioner shall file any motion to dismiss, motion to remand, and/or answer within sixty (60) days of service of the complaint. ... The plaintiff shall, unless otherwise ordered by the court, serve and file a brief in support of the

Defendant Commissioner of Social Security timely filed her Answer to Plaintiff's Complaint on November 16, 2006. (Docket No. 8). As such, pursuant to Local Rule 9.02, Plaintiff's brief in support of her Complaint was to be filed not later than January 16, 2007. A review of the Court file shows that, to date, Plaintiff has not filed a brief in support of her Complaint, or in any other way complied with the Local Rules or previous Order of this Court. Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff shall file her brief in support of her Complaint no later than May 29, 2007. Failure to timely respond to this Order may result in the dismissal of this cause for failure to prosecute and failure to comply with Orders of the Court.

Dated this 26th day of April, 2007.

/s/ Terry I. Adelman

UNITED STATES MAGISTRATE JUDGE

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complaint within thirty (30) days after the Commissioner's service of an answer and the administrative transcript. The Commissioner shall serve and file a brief in support of the answer within thirty (30) days after service of the plaintiff's brief. Plaintiff shall have ten (10) days after service of the Commissioner's brief to file a reply brief.